

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RONALD C. FOREST

Case No. C10-1519-RSM-JPD

Plaintiff,

REPORT AND RECOMMENDATION

V.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. 1. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 24.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. The parties have stipulated that on remand, the Administrative Law Judge (“ALJ”) shall:

- Re-evaluate and further develop the record in this case;
- Obtain evidence from a medical expert;
- Re-evaluate plaintiff's credibility and any lay evidence within the record;
- Re-evaluate plaintiff's RFC as needed; and

- Re-evaluate steps four and five with the assistance of a vocational expert.

The parties further stipulate that, upon proper presentation, plaintiff is entitled to reasonable attorneys' fees and costs pursuant to 28 U.S.C. § 2412.

A proposed order accompanies this Report and Recommendation.

DATED this 18th day of April, 2011.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge